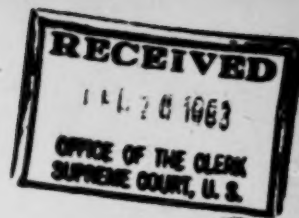


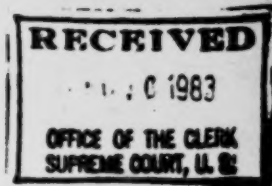
**ORIGINAL**

IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM 1983



NO. 82-1349  
COURT OF APPEALS SIXTH CIRCUIT

NO. 79-74777  
DISTRICT COURT OF MICHIGAN



**83-6264**

WILLIS W. CHAPMAN, APPELLANT  
VS

MICHIGAN NATIONAL BANK OF DETROIT  
SUBSIDIARIE, OF MICHIGAN NATIONAL  
CORPORATION, a bank holding company,  
APPELLEES

JURISDICTIONAL STATEMENT

JOSEPH E. BOLZERT, C.  
200 West 14 Mile Road  
Farmington, Michigan 48017

WILLIS W. CHAPMAN PRO PER  
25700 Woodward Street  
Highland Park, Michigan 4820  
313 235-6770 ext.  
313 235-7659 Mother  
313 956-9064 Res.

# TABLE OF CONTENTS

	Page
FLYLEAF.....	1
CERTIFICATE OF SERVICE.....	2
TABLE OF CONTENT.....	1-2
TABLE OF AUTHORITIES.....	2-2
JURISDICTION STATEMENT.....	1-2,2-2
APPENDIX.....	
APPENDIX (A) ORDER DENYING MOTION FOR REHEARING	
APPENDIX (B) ORDER DENYING MOTION FOR APPEAL (SIXTH CIRCUIT)	
APPENDIX (C) ORDER DENYING MOTION FOR REHEARING EN BANC	
APPENDIX --- This court may rely on any and all records and a request is made to have the Appeal Heard on the ORIGINAL RECORDS.	
APPENDIX (D) ORDER DENYING DEFENDANT'S MOTION TO DISMISS BUT GRANTING ALTERNATIVE RELIEF	
APPENDIX (E) ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO AMEND COMPLAINT AND GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION TO DISMISS	
APPENDIX (F) ORDER GRANTING IN PART AND DENYING IN PART MOTIONS TO DISMISS AND TO AMEND COMPLAINT	
APPENDIX (G) ORDER CLARIFYING ORDER CONCERNING AMENDMENT OF COMPLAINT	
APPENDIX (H) ORDER GRANTING MOTION TO STRIKE, GRANTING IN PART AND DENYING IN PART MOTION FOR SUMMARY JUDGMENT, DENYING MOTION TO DISMISS, AND DENYING PLAINTIFF'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES	
APPENDIX (I) ORDER OF REFERENCE TO UNITED STATES MAGISTRATE	
APPENDIX (J) ORDER GRANTING PLAINTIFF'S MOTION TO AMEND, GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION TO STRIKE, GRANTING DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT, DENYING DEFENDANT'S MOTION TO DISMISS, AND DENYING IN PART PLAINTIFF'S MOTION TO COMPEL ANSWERS TO INTERROGATORIES	
APPENDIX (K) ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT	
APPENDIX (L) ORDER DENYING MOTION FOR RECONSIDERATION	
APPENDIX (M) ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, DENYING MOTION FOR PREPAYMENT OF TRANSCRIPT COSTS, AND DENYING DEFENDANT'S MOTION FOR BOND FOR COSTS ON APPEAL	
APPENDIX (N) MICHIGAN COMMITTEE ON LAW AND HOUSING CHALLENGES FILED WITH THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM	
APPENDIX (O) ANALYSIS OF LENDING PATTERNS OF DISCRIMINATION BY EIGHT SUBSIDIARY BANKS OF THE MICHIGAN NATIONAL CORPORATION.	
APPENDIX (P) RATING OF LENDER'S ATTEMPTS TO MEET THE CREDIT NEEDS OF DETROIT'S LOW AND MODERATE INCOME AREAS	
APPENDIX (Q) BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM	
APPENDIX (R) DISSENTING STATEMENT OF GOVERNOR "BOICE" OF	

APPENDIX cont.

THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

APPENDIX (S) MICHIGAN NATIONAL BANK OF DETROIT'S LETTER DATED JULY 25, 1977, DENIAL OF CREDIT \*\* BASED UPON " inadequate collateral", LEONARD FRIEDMAN'S PROPERTY 7000 Longo Ave.

APPENDIX (T) MICHIGAN NATIONAL BANK OF DETROIT'S CREDIT DENIAL STATEMENT, DATED NOV. 17, 1978 \*\* BASED UPON " inadequate collateral", LARCO'S INN. property 7525 West McNichols Road Detroit, Michigan

TABLE OF AUTHORITIES

12 USC371 COMPTROLLER'S HANDBOOK FOR NAT'L BANK EXAMINERS Sec.213.1 p 1  
COMMUNITY RE-INVESTMENT ACT 1977, 12 USC Sec. 2901-2905  
42 USC Sec. 1981, Civil Rights Law of 1870  
EQUAL CREDIT OPPORTUNITY ACT ,15 USC Sec. 1691-1691f  
CIVIL RIGHTS ACT 1866,42 USC Sec. 1983  
FOURTEENTH AMENDMENT, THE.EQUAL PROTECTION CLAUSE  
EQUAL EMPLOYMENT OPPORTUNITY ACT, 42 USC Sec. 1981  
FEDERAL RESERVE BOARD REGULATION "B" Sec. 229.7  
MICHIGAN ANTI-REDLINING STATUTE (M.C.L.A. ss 445. 1601-1604)

CASES

CASE The U.S. Supreme Court, never HEARD a COMMUNITY RE-INVESTMENT  
U.S. vs SUMMER ADVERTISING AGENCY, INC. SA-78 CA 199 (W.D.  
Tx. Sept.22,1978)  
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION vs MacMILLAN  
BLOEDEL CONTAINERS, INC. 503 F. 2d 1086, 1093-94 (6th Cir.  
1974)  
BOHN ALUMINUM & BRASS CORP. vs STORM KING CORP. 303 F 2d 424,  
427 (6th Cir 1962)  
S.J. GROVES & SONS CO. vs OHIO TURNPIKE COMMISSION, 315 F 2d  
235, 237 (6th Cir. ), cert.denied, 375 U.S. 84 S. Ct. 65, 11  
L. Ed. 2d, 57 (1983)  
JONES, ET. UX. vs ALFRED H. MAYER CO. ET. AL. 392 USC 409,  
MICHIGAN COMMITTEE ON LAW AND HOUSING FILED A CHALLENGE  
AGAINST MICHIGAN NATIONAL BANK OF DETROIT IN 1979, by the  
FEDERAL RESERVE BOARD REGULATIONS "B", a PATTERN OF  
DISCRIMINATION WAS THE REASON FOR FILING THE CHALLENGE.

## JURISDICTIONAL STATEMENT

The final ORDER OF THE SIXTH CIRCUIT COURT OF APPEALS DENYING APPELLANT'S MOTION FOR REHEARING, EN BANC, entered in this action on June 14, 1983, and hereby Appeals from the final ORDER of the UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION, entered in this cause on January 28, 1982, whereby it was adjudged that the Appellant's cause of action be dismissed, by way of Appellees' ENTRY OF ORDER OF SUMMARY JUDGMENT.

The OPINION MISAPPREHENDS THE FACTS, in the OPINION and Judgment of the Lower Court and the Appeals Court based upon, "United States District Judge Patricia J. Boyle granted summary judgment on January 28, 1982 with respect to Chapman's claim of discrimination by use of "market value rather than "replacement cost" as a method to appraise his collateral", On March 30, 1982, after defendants filed supplement affidavits, Judge Boyle also granted summary judgment against Chapman on his remaining claim of disparate treatment in valuating his collateral.

AN EXTRA JUDICIAL OPINION was given on - QUESTIONS that was not necessary to decide in the case in which it was given ( Warner vs the Uncle Sam 9 Cal. 697, 732,) on a point which was not then the point in question, or a proposition generally expressed, and which the case, or the circumstances of the case did not call for, or an opinion on a point which was not the point argued before the Courts by the APPELLANT based upon the Complaint. The Courts pronounced its judgment on an opinion not called for by the Complaint and which was unnecessary to give. (Bellingham Bay Inpr. Co vs New Whatcon 20 Wash. 53,58,54)

That the U.S. District Court and The Sixth Circuit Court of Appeals has ERRORED IN ITS JUDICIAL REVIEW in assuring Appellant's RIGHTS offered by the Acts established by CONGRESS and the U.S. CONSTITUTION CHAPMAN'S CLAIMS OF DISCRIMINATION IS BASED UPON EQUAL CREDIT OPPORTUNITY ACT 15 USC Sec. 1691-1691f, FOURTEENTH AMENDMENT, EQUAL EMPLOYMENT OPPORTUNITY ACT 42 USC Sec. 1981, Civil Rights Act 1866, 42 USC Sec. 1983, Community Re-Investment Act 1977 12 USC Sec. 2901-2905, etc;  
QUESTIONS

(a) UNLAWFUL DENIAL OF CREDIT

(b) DEPRIVED APPELLANT and FAMILY FROM SELF-EMPLOYMENT  
AND THE MAIN STREAM OF AMERICAN'S ECONOMY

This is Appellant's claim of discrimination, that the MICHIGAN BANK OF DETROIT ISSUED CREDIT DENIAL STATEMENT BASED UPON, " INADEQUATE COLLATERIAL", WITH-OUT MAKING AN APPRAISAL in 1978; this is the UNLAWFUL REJECTION OF APPELLANTS' CREDIT, which is a WHITE COLLAR CRIME and yet

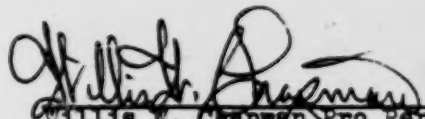
one year and one month later on Dec.13,1979 MICHIGAN NATIONAL BANK OF DETROIT'S GROUP VICE PRESIDENT MR. STUART H. MAHLER SAID THE COLLATERAL IS EVALUATED FOR \$769,000.00 with a \$369,000.00 APPREISAL SURPLUS, this PROVES THAT THE APPELLANT'S SBA LOAN APPLICATION MADE on Oct. 2,1978 should not have been denied on Nov.14,1978 by the Appellees based upon " INADEQUATE COLLATERAL ", this is the White Collar Crime of Unlawful Denial of Credit, IS THE DISCRIMINATORY INTENT & DISCRIMINATORY EFFECT.

This is why Appellant says the OPINION MISAPPREHENDS THE FACTS in the OPINION and JUDGMENT OF THE LOWER COURT and the APPEALS COURT based upon such a ORDER which was IMPROPERLY MADE, has and did PREJUDICE the RIGHTS of the APPELLANT, because of the LACK of EQUAL JUSTICE UNDER LAWS OF CONGRESS, and EQUAL PROTECTION UNDER THE CONSTITUTION OF THE UNITED STATES.

The question sought to be reviewed was raised in the Court of first instance and it is the contention of the Appellant that the Trail Court never address the UNLAWFUL DENIAL OF CREDIT BY Mrs. Dorothy Little representative of MICHIGAN NATIONAL BANK OF DETROIT ON NOV. 14, 1978.

Appellant Prays that the Order of Summary Judgment of Trial Court be Reversed and that a Judgment of no cause of Action be entered in favor of Appellant, and that a new trial be GRANTED.

Dated December 13,1983

  
Willis W. Chapman Pro Per  
APPELLANT

24 Connecticut St  
Highland Park, Michigan 48203  
313 255-6770 Off.  
313 584-7659 Mother's #  
313 956-9064 Res



FILED

JUN 14 1983

JOHN P. HEHMAN, Clerk

WILLIS W. CHAPMAN,

Plaintiff-Appellant,

ORDER

v.

MICHIGAN NATIONAL BANK,

Defendant-Appellee.

Before: ENGEL and CONTIE, Circuit Judges; and PECK, Senior Circuit Judge.

Willis W. Chapman brought suit alleging that Michigan National Bank of Detroit and Michigan National Corporation ("the defendants") denied him credit on the basis of his race in violation of 42 U.S.C. § 1981 and 15 U.S.C. § 1691 et seq. On defendants' motion for summary judgment, United States District Judge Patricia J. Boyle granted summary judgment on January 28, 1982 with respect to Chapman's claim of discrimination by use of "market value" rather than "replacement cost" as a method to appraise his collateral. On March 30, 1982, after defendants filed supplemental affidavits, Judge Boyle also granted summary judgment against Chapman on his remaining claim of disparate treatment in valuating his collateral. Chapman appeals challenging the grants of summary judgment.

Upon a careful examination of the record as a whole, the court is of the opinion that Judge Boyle did not err in granting a summary judgment in favor of the defendants. Chapman claimed that the bank refused to accept as the basis for evaluation a figure based

upon the replacement cost of the property, while such replacement cost was permitted as the basis for the advance of the loan of a white customer of the bank. Based upon affidavits and evidence submitted before the district judge, it appeared that the premise that the bank loaned money solely on the basis of replacement cost of the property was incorrect. Chapman, although having been accorded ample opportunity, was unable to present any evidence which would raise a material dispute of fact on that question. / Similarly, Chapman offered no evidence rebutting defendants' affidavits, which stated that defendants did not conduct an appraisal but adopted Chapman's proffered purchase price as fair market value of the property and that use of the figure was proper. / Considering the evidence in a light most favorable to Chapman, no issue of fact regarding disparate treatment was raised. Accordingly,

*Affidavits  
suggested to  
begin with  
Office of  
Counsel  
Investigation  
not  
Document*

IT IS ORDERED that the judgment of the district court is affirmed.

ENTERED BY ORDER OF THE COURT

John P. Blum  
Clerk

No. 82-1349

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

FILED

SEP 7 1983

JOHN P. HEHMAN, Clerk

WILLIS W. CHAPMAN,

Plaintiff-Appellant,

v.

ORDER

MICHIGAN NATIONAL BANK,

Defendant-Appellee.

---

Before: ENGEL and CONTIE, Circuit Judges; and PECK, Senior Circuit Judge.

No judge in regular active service of the court having requested a vote on the suggestion for a rehearing en banc, the petition for rehearing filed herein by the plaintiff-appellant has been referred to the panel which heard the original appeal. Upon consideration of said petition, the court finding no issues presented which have not been previously considered,

IT IS ORDERED that the petition for rehearing en banc be and it is hereby denied.

ENTERED BY ORDER OF THE COURT

John P. Hehman  
Clerk



①  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

vs.

CIVIL NO. 79-74777

MICHIGAN NATIONAL BANK OF  
DETROIT, SUBSIDIARIE, AND  
MICHIGAN NATIONAL CORPORATION,  
a bank holding company,

Defendants.

---

ORDER DENYING DEFENDANTS'  
MOTION TO DISMISS BUT GRANTING  
ALTNERNATIVE RELIEF

Defendant having filed a Motion to Dismiss urging that dismissal is appropriate because plaintiff has failed to provide adequate answers to certain interrogatories, defendants' Motion having come on for hearing before the undersigned Magistrate on October 26, 1981 and for the reasons stated from the bench at the conclusion of the hearing on the said Motion,

IT IS ORDERED that defendants' Motion to Dismiss be and the same is hereby DENIED. As alternative relief, plaintiff is directed to file a further response to Interrogatory No. 5 providing to the defendant the additional information sought regarding the background and expected testimony of the expert witness referred to in the previous answer given to this Interrogatory. In addition, plaintiff is to furnish to counsel for the defendant a complete list of all exhibits that he will seek to introduce into evidence at the trial of this case and furnish with respect to each such exhibit the information referred to in Interrogatory No. 7. This exhibit list shall be furnished to defendant on or before the date of the next pretrial conference presently set for November 18, 1981

before the District Judge.

Paul J. Henne,  
UNITED STATES MAGISTRATE

Dated:

Oct. 30, 1981

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

vs.

Civil No. 79-74777  
Hon. Patricia J. Boyle

MICHIGAN NATIONAL BANK,

Defendant.

ORDER GRANTING IN PART AND DENYING IN PART  
PLAINTIFF'S MOTION TO AMEND COMPLAINT AND  
GRANTING IN PART AND DENYING IN PART  
DEFENDANT'S MOTION TO DISMISS

Plaintiff having moved this Court for leave to amend his complaint in this matter, and Defendant having opposed the motion by means of a Motion to Dismiss, and the Court having heard oral argument by Plaintiff, representing himself, and by Defendant's counsel,

IT IS HEREBY ORDERED that Plaintiff's Motion to Amend Complaint be granted to allow inclusion of claims sounding in 42 U.S.C. § 1981 and denied as to claims related to the Michigan Anti-Redlining Statute (M.C.L.A. §§ 445.1601-.1614), the Community Reinvestment Act (12 U.S.C. §§ 2901-2905), the Civil Rights Act of 1866 (42 U.S.C. § 1983), and the Equal Protection Clause. Thus, Plaintiff will be permitted to add a claim of violation of 42 U.S.C. § 1981 to his existing claim of violation of the Equal Credit Opportunity Act (15 U.S.C. §§ 1691-1691f).

IT IS HEREBY FURTHER ORDERED that Defendant's Motion to Dismiss claims sought to be added be granted as to those claims listed above that will not be included in the Third Amended Complaint. As to the claim under 42 U.S.C. § 1981, Defendant's Motion to Dismiss is hereby denied.

IT IS SO ORDERED.

Dated: JUN 18 1981  
Detroit, Michigan

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
United States District Judge

A TRUE COPY

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BY *[Signature]*  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS CHAPMAN,

Plaintiff,

vs.

Civil No. 79-74777

Hon. Patricia J. Boyle

MICHIGAN NATIONAL BANK,

Defendant.

ORDER GRANTING IN PART AND DENYING IN PART  
MOTIONS TO DISMISS AND TO AMEND COMPLAINT

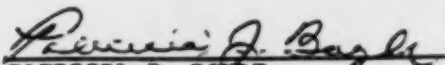
Plaintiff having moved to amend his complaint, and Defendant having moved to dismiss those claims proposed to be added, and the Court having heard oral argument of the motions,

IT IS HEREBY ORDERED that Plaintiff's complaint, which now includes a claim sounding in the Equal Credit Opportunity Act, shall be amended to include a claim based on 42 U.S.C. § 1981. In all other respects, including claims based on the Michigan Anti-Redlining statute [MCLA §§ 445.1601-.1614], the Community Reinvestment Act [12 U.S.C. §§ 2901-2905], Title VII of the Housing Community Development Act, the Equal Protection Clause of the Fourteenth Amendment, the Equal Employment Opportunity Act, and 42 U.S.C. § 1983, Plaintiff's Motion to Amend Complaint shall be DENIED.

IT IS HEREBY FURTHER ORDERED that Defendant's Motion to Dismiss be DENIED as it relates to Plaintiff's amendment to include 42 U.S.C. § 1981, and GRANTED as to Plaintiff's other proposed amendments to the complaint.

The parties have advised the Court that they have stipulated to service of the Amended Complaint by mail.

IT IS SO ORDERED.

  
PATRICIA J. BOYLE  
United States District Judge

Dated: JUL 08 1981

A TRUE COPY

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BY 

DEPUTY CLERK

6  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS CHAPMAN,

Plaintiff,

vs.

Civil No. 79-74777

Hon. Patricia J. Boyle

MICHIGAN NATIONAL BANK,

Defendant.

ORDER CLARIFYING ORDER CONCERNING AMENDMENT OF COMPLAINT

The parties having appeared before the Court on August 7, 1981, for a status conference, and it appearing that Plaintiff has filed an Amended Complaint that contains several of the claims already addressed and excluded by previous orders of this Court, and it appearing that further clarification of what claims can properly be included in any amended complaint to be filed by Plaintiff,

IT IS HEREBY ORDERED that Plaintiff shall redraft and refile an amended complaint containing only those claims allowed by this Court's order of July 8, 1981. Those claims concern the Equal Credit Opportunity Act [15 U.S.C. §§ 1691-1691f], and one section of the Civil Rights Law of 1870, 42 U.S.C. § 1981. That complaint shall be titled "Fourth Amended Complaint."

IT IS HEREBY FURTHER ORDERED that Plaintiff shall file this Fourth Amended Complaint by August 24, 1981. The Defendant having previously agreed to accept service of an amended complaint by mail upon the attorney for Defendant, service of this Fourth Amended Complaint may be made upon Defendant's counsel.

IT IS SO ORDERED.

Dated: AUG 21 1981  
Detroit, Michigan

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
UNITED STATES DISTRICT JUDGE

A TRUE COPY

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BY *Kel Humphrey*  
DEPUTY CLERK



H

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

vs

No. 79-74777

HON. PATRICIA J. BOYLE

MICHIGAN NATIONAL BANK OF DETROIT,  
SUBSIDIARIE, AND MICHIGAN NATIONAL  
CORPORATION, a bank holding company,

Defendants.

---

ORDER GRANTING MOTION TO STRIKE, GRANTING IN  
PART AND DENYING IN PART MOTION FOR SUMMARY  
JUDGMENT, DENYING MOTION TO DISMISS, AND  
DENYING PLAINTIFF'S MOTION TO COMPEL  
ANSWERS TO INTERROGATORIES

---

At a session of said Court held in the U.S.  
Courthouse in the City of Detroit, County of  
Wayne, State of Michigan on the \_\_\_\_ day of  
September, 1981.

PRESENT: HONORABLE PATRICIA J. BOYLE  
United States District Judge

The above-entitled matter having come on regularly  
before the Court on Defendants' Motion to Strike, Motion for  
Partial Summary Judgment, and Motion to Dismiss, and the Court  
having further determined to waive the requirements of Rule  
17(g) of the Local Rules of this Court and to proceed upon  
Plaintiff's Motion to Compel Answers to Interrogatories; the  
parties having appeared, Plaintiff WILLIS W. CHAPMAN appearing  
in pro se and Defendants appearing by counsel; oral argument  
having been had, and the Court being fully advised in the  
premises;

IT IS ORDERED THAT summary judgment, pursuant to the pro-  
visions of Fed. R. Civ. Proc. 56(b) be, and the same hereby is,  
entered in favor of Defendants MICHIGAN NATIONAL CORPORATION and  
against Plaintiff WILLIS W. CHAPMAN, upon the claim alleged  
under the Equal Credit Opportunity Act, 15 U.S.C. §1691, et  
seq., for the reason that Defendant Michigan National  
Corporation is not a "creditor" as defined therein, and the

Complaint is, upon said claim as alleged against Defendant MICHIGAN NATIONAL CORPORATION, and the same shall be dismissed. Pursuant to the provisions of Fed. R. Civl. Proc. 54(b), the Court finds that there is no just cause for delay in the entry of this judgment, and the Clerk of the Court is expressly directed to enter partial summary judgment as indicated herein.

IT IS FURTHER ORDERED THAT summary judgment, pursuant to the provisions of Fed. R. Civ. Proc. 56(b) be, and the same hereby is, entered in favor of Defendants MICHIGAN NATIONAL CORPORATION and MICHIGAN NATIONAL BANK OF DETROIT and against Plaintiff WILLIS W. CHAPMAN, for all claims brought under 42 U.S.C. §1981 which accrued, if at all, prior to April 19, 1977, for the reason that the same are barred by the applicable statute of limitations, and the Complaint is, upon said claims as alleged against Defendants MICHIGAN NATIONAL CORPORATION and MICHIGAN NATIONAL BANK OF DETROIT, and the same shall be, dismissed. Pursuant to the provisions of Fed. R. Civ. Proc. 54(b), the Court finds that there is no just cause for delay in the entry of this judgment, and the Clerk of the Court is expressly directed to enter partial summary judgment as indicated herein.

IT IS FURTHER ORDERED THAT summary judgment, pursuant to the provisions of Fed. R. Civ. 56(b) be, and the same hereby is, entered in favor of Defendant MICHIGAN NATIONAL BANK OF DETROIT and against Plaintiff WILLIS W. CHAPMAN, for all claims brought under the Equal Credit Opportunity Act, 15 U.S.C. §1591, et seq., which accrued, if at all, prior to April 19, 1978, for the reasons that the same are barred by the applicable statutes of limitations, and the Complaint is, upon said claims as alleged against Defendant MICHIGAN NATIONAL BANK OF DETROIT, and the same shall be, dismissed. Pursuant to the provisions of Fed. R. Civ. Proc. 54(b), the Court finds that there is no just cause of delay in the entry of this judgment, and the Clerk of the Court is expressly directed to enter partial summary judgment as indicated herein.

IT IS FURTHER ORDERED THAT the Motion to Strike is granted, in its entirety. Certain portions of the Motion to Strike have been cured by this Court's Order Clarifying Order Concerning Amendment of Complaint, issued on August 21, 1981. With regard to the prayer for relief contained in the pleading entitled "Fourth Amended Complaint" and previously filed by Plaintiff on August 24, 1981, Plaintiff is directed to file an Amended Complaint, which shall be entitled "Seventh Amended Complaint", which shall be identical in form and content to the pleading entitled "Fourth Amended Complaint" and filed August 21, 1981, except that the request for punitive damages contained therein shall be not greater than One Million Dollars (\$1,000,000.00). This "Seventh Amended Complaint" shall be filed within five (5) days of the date of this Order, and shall be served upon counsel for Defendants by mail. Defendants shall file their answer or otherwise properly respond within twenty (20) days of service of said "Seventh Amended Complaint."

30  
Sept.

IT IS FURTHER ORDERED THAT Plaintiff WILLIS W. CHAPMAN shall file his answers to Defendants' Second Interrogatories, complete and in conformity with Fed. R. Civ. Proc. 33 not later than September 30, 1981. Should answers not be filed by that date, Defendants may renew their Motions to Dismiss.

IT IS FURTHER ORDERED THAT Plaintiff WILLIS W. CHAPMAN'S Motion to Compel Answers to Interrogatories is, as to Interrogatory One thereof, denied. As to Interrogatories Two (i) and (j), the Court notes that answers are given. As to the request to compel Defendants to answer Interrogatories Two (a) through (h), the Court takes the Motion under advisement.

IT IS SO ORDERED.

---

PATRICIA J. BOYLE  
United States District Judge

10-25-81 10:00 AM

I

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CHAPMAN

Plaintiff(s),

-vs-

Case No. 79-74777

MICHIGAN NATIONAL BANK

Hon. Patricia Boyle

Defendant(s).

ORDER OF REFERENCE TO UNITED STATES MAGISTRATE

IT IS ORDERED THAT this matter is referred to United States Magistrate Paul J. Komives for the following purposes:

- ☒ Hearing and determination in accordance with 28 U.S.C. 636(b)(1)(A) of Motion to Dismiss for failure to answer Interrogatories
- ☐ Hearing and recommending disposition in accordance with 28 U.S.C. 636(b)(1)(B) of Motion/Application/Petition
- ☐ Conduct the following pre-trial proceedings
- ☐ To serve as Special Master pursuant to Rule 53, Federal Rules of Civil Procedure, and make reports and findings concerning
- ☐ Other

A copy of this Order of Reference shall be forwarded to the above-named Magistrate by the Clerk.

Detroit, Michigan, this 26th day of October,

19 81.

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
United States District Judge

5  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

-vs-

Civil No. 79-74777

MICHIGAN NATIONAL BANK OF DETROIT,  
SUBSIDIARIE, AND MICHIGAN NATIONAL  
CORPORATION,

Defendants.

---

ORDER GRANTING PLAINTIFF'S MOTION TO AMEND,  
GRANTING IN PART AND DENYING IN PART DEFEN-  
DANT'S MOTION TO STRIKE, GRANTING DEFENDANT'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT, DENYING  
DEFENDANT'S MOTION TO DISMISS, AND DENYING IN  
PART PLAINTIFF'S MOTION TO COMPEL ANSWERS TO  
INTERROGATORIES

---

Having reviewed the pleadings and briefs and having heard oral argument on Plaintiff's Motion to Amend Complaint, Defendant's Motion to Strike, Defendant's Motion for Partial Summary Judgment, Defendant's Motion to Dismiss, and Plaintiff's Motion to Compel Answers to Interrogatories and to Compel Production of Documents;

IT IS ORDERED that Plaintiff's Motion to Amend is hereby GRANTED pursuant to Fed.R.Civ.Proc. 15(a). IT IS FURTHER ORDERED that Plaintiff's Complaint as filed be amended by this Order to claim damages in the amount of one million dollars. Defendant shall file an answer to said Complaint within twenty days of service of this Order.

IT IS FURTHER ORDERED that summary judgment, pursuant to the provisions of Fed. R. Civ. Proc. 56(b) be, and the same hereby is, entered in favor of Defendants MICHIGAN NATIONAL CORPORATION and against Plaintiff WILLIS W. CHAPMAN, upon the claim alleged under the Equal Credit Opportunity Act, 15 U.S.C. §1691, et seq., for the reason that Defendant Michigan National Corporation is not a "creditor" as defined therein, and the Complaint is, upon said claim as alleged against Defendant MICHIGAN NATIONAL CORPORATION, and the same shall be dismissed.



IT IS FURTHER ORDERED that summary judgment, pursuant to the provisions of Fed. R. Civ. Proc. 56(b) be, and the same hereby is, entered in favor of Defendants MICHIGAN NATIONAL CORPORATION and MICHIGAN NATIONAL BANK OF DETROIT for all claims brought under 42 U.S.C. § 1981 which accrued prior to April 19, 1977, for the reason that this Court first acquired jurisdiction over Defendants only upon the effectuation of proper service on the Defendants on April 19, 1980, Napier v. Hawthorn Books, Inc., 449 F. Supp. 576, 579 (1978); and for the reason that the applicable statute of limitation on this claim is three years. Marlowe v. Fisher Body, 489 F. 2d 1057 (6th Cir. 1973).

IT IS FURTHER ORDERED that summary judgment, pursuant to the provisions of Fed. R. Civ. Proc. 56(b) be, and the same hereby is, entered in favor of Defendants MICHIGAN NATIONAL CORPORATION and MICHIGAN NATIONAL BANK OF DETROIT for all claims brought under the Equal Credit Opportunity Act, 15 U.S.C. §1691, et seq., which accrued prior to April 19, 1978, for the reason that this Court first acquired jurisdiction over Defendants only upon the effectuation of proper service on the Defendants on April 19, 1980, Napier v. Hawthorn Books, Inc., 449 F. Supp. 576, 579 (1978); and for the reason that the Equal Credit Opportunity Act contains an express statute of limitations of two years. 15 U.S.C. 1691e(f).

IT IS FURTHER ORDERED that Plaintiff WILLIS W. CHAPMAN shall file his answers to Defendants' Second Interrogatories, complete and in conformity with Fed. R. Civ. Proc. 33 not later than September 30, 1981. Should answers not be filed by that date, Defendants may renew their Motions to Dismiss.

IT IS FURTHER ORDERED that Plaintiff Chapman's Motion to Compel Answers to Interrogatories is hereby DENIED as to Interrogatory One. As to the request to compel Defendants to answer Interrogatories Two (a) through (j), this Court takes this Motion under advisement pending a further status conference to be held November 18, 1981 at 9:00 a.m.

IT IS SO ORDERED.

Dated: OCT 14 1981

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
United States District Court

Mailed to:

Willis W. Chapman  
In Pro Per  
8550 Greenfield Rd. #14  
Detroit, Michigan 48228

Russ E. Boltz  
Attorney for Defendants  
1400 West 14 Mile Rd.  
Clawson, Michigan 48017

A TRUE COPY

I so certify.

*Carole M. Stanyan*  
Carole M. Stanyan, Deputy Clerk  
DEPUTY CLERK

Dated: OCT 14 1981

K  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

-vs-

Civil No. 79-74777  
Hon. Patricia J. Boyle

MICHIGAN NATIONAL BANK OF DETROIT,  
and  
MICHIGAN NATIONAL CORPORATION,

Defendants.

ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

mn  
(1) one year later  
This Court having entered an Order on January 28, 1982 Granting in Part and Taking Under Advisement in Part Defendants' Motion for Summary Judgment, and this Court having reserved the sole issue of whether plaintiff was subjected to disparate treatment by defendants in the valuation of his proposed collateral and having invited defendants to file supplemental affidavits clarifying the following issues of fact:

- (1) whether or not Group Vice President Mahler appraised Larco's at Seven Hundred Sixty-Nine Thousand Dollars (\$769,000) as alleged by Plaintiff, (2) whether any portion of the Seven Hundred Sixty-Nine Thousand Dollar (\$769,000) appraisal figure represents replacement cost value, and (3) how the bank determines market value for loan purposes;

and defendants having filed the supplemental affidavits of Joseph Drobot and Thomas Wagner on the aforementioned issues and having filed a supplemental memorandum of law in support of the Motion for Summary Judgment; and plaintiff having addressed the aforementioned issues by supplemental counter-affidavit and by an Answer to defendants' memorandum; and this Court having reviewed the above submissions and being fully advised in the premises;

This Court concludes that there is no genuine issue of fact remaining as to whether plaintiff was subjected to disparate treatment by defendants in the valuation of his proposed collateral;

It appearing that the Seven Hundred Sixty-Nine Thousand Dollar (\$769,000) figure offered by plaintiff as the proper appraisal value of his property was a figure suggested by plaintiff to Stuart Mahler and Joseph Drobot, and that said figure was never adopted by Defendants

And it appearing further that in the absence of a formal appraisal conducted by defendant, the stated price to be paid by plaintiff for "Larco's Inn" was an appropriate figure from which to estimate the fair market value of the property.

IT IS SO ORDERED.

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
United States District Judge

Russ E. Boltz, Esquire  
1400 West Fourteen Mile Road  
Clawson, Michigan 48017

A TRUE COPY

B: K.H. Hume

I so certify.

Dated: MAR 30 1982

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

-vs-

Civil No. 79-74777  
Hon. Patricia J. Boyle

MICHIGAN NATIONAL BANK OF  
DETROIT, SUBSIDIARY OF MICHIGAN  
NATIONAL CORPORATION,

Defendants.

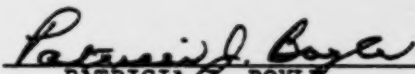
ORDER DENYING MOTION FOR RECONSIDERATION

This Court having reviewed Plaintiff's Motion for Reconsideration of Order Granting Defendants' Motion for Summary Judgment and brief in-support of said motion, and being fully advised in the premises of said motion;

IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

Dated: 07 MAY 1982

  
PATRICIA J. BOYLE  
United States District Judge

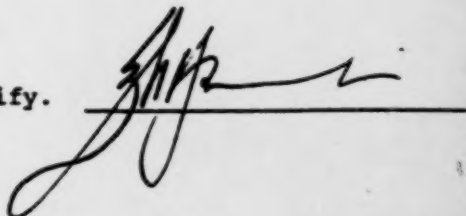
Mailed to:

Willis Chapman  
8550 Greenfield Rd. #14  
Detroit, Michigan 48228

Russ Boltz  
Attorney for Defendants  
Michigan National Corporation Bank  
1400 West Fourteen Mile Road  
Clawson, Michigan 48017

Dated: 07 MAY 1982

I so certify.





M

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIS W. CHAPMAN,

Plaintiff,

-vs-

Honorable Patricia J. Boyle  
Civil Action No. 79-74777

MICHIGAN NATIONAL BANK OF  
DETROIT, Subsidiary of Michigan  
National Corporation, a bank  
holding company,

Defendant.

---

ORDER GRANTING PLAINTIFF'S MOTION FOR  
LEAVE TO PROCEED IN FORMA PAUPERIS, DENYING MOTION  
FOR PREPAYMENT OF TRANSCRIPT COSTS, AND DENYING  
DEFENDANT'S MOTION FOR BOND FOR COSTS ON APPEAL

Plaintiff, having received an adverse judgment from this court, seeks an order allowing him to proceed in forma pauperis on appeal and has also sought to have the United States pay the cost of preparing the transcript of this court's proceedings for the record on appeal. Defendant has filed a bond for costs on appeal, in the amount of One Thousand Dollars (\$1,000).

The court notes that plaintiff proceeded in the district court in forma pauperis and has presented an affidavit and supplemental affidavit in support of the present motion.

The statute governing this court's consideration of the motion is 28 U.S.C. § 1915, which provides that an appeal by one who cannot pay costs or security may not be taken if the district court certifies that the appeal is not taken in good faith. A somewhat different standard applies to the determination whether to authorize the payment of transcript costs by the United States. That statute requires that the trial judge certify that the appeal is not frivolous and that it presents a "substantial question." 28 U.S.C. § 753(f).

Although this court is familiar with the sincerity and intensity with which plaintiff here pursues his claim against the defendant and thus is not prepared to certify that the appeal is not taken in good faith, the statement from plaintiff of the grounds for the appeal does not suggest a substantial question for appeal. Although the case while in this court had procedural difficulties that delayed resolution of the legal issues until the facts could be properly brought before it, a review of those issues confronted in the various motions does not reveal one that could fairly be characterized as "substantial." Absent an indication of the asserted error of the district court's ruling and the ground for appeal, the plaintiff has failed to demonstrate that the appeal presents a substantial question.

Plaintiff therefore has not satisfied the requirement of section 753(f). See Rhodes v. Corps of Engineers, 589 F.2d 358 (8th Cir. 1978). Thus, while this court will grant plaintiff leave to appeal in forma pauperis, 28 U.S.C. § 1915, it will not authorize the payment for transcript by the United States, 28 U.S.C. § 753(f). Thus, plaintiff's motion will be GRANTED with respect to appeal in forma pauperis and DENIED with respect to payment for transcript.

The court having granted leave to appeal in forma pauperis, it will not require plaintiff to post a bond for costs on appeal. The determination that the appeal proceeds in good faith is sufficient to meet the concern expressed in Page v. A. H. Robins Co., 85 F.R.D. 139 (E.D. Va. 1980), that requiring no bond at all may encourage appeals that ought not to be taken. While it is true that the ruling on plaintiff's request for payment of transcript costs indicates that the appeal lacks a substantial question, I am not prepared to require a bond for costs on appeal where I have expressly authorized the appeal to go forward in forma pauperis.

Accordingly, defendant's motion for bond for costs  
on appeal is DENIED.

IT IS SO ORDERED.

Date: 16 AUG 1982  
Detroit, Michigan

*Patricia J. Boyle*  
PATRICIA J. BOYLE  
United States District Judge

A TRUE COPY

CLERK U. S. DISTRICT COURT  
E. S. DISTRICT OF MICHIGAN

BY *[Signature]*

DEPUTY CLERK

EXHIBIT "A"

## **Michigan Committee on Law and Housing**

23 East Adams Ave. • Detroit, Mich. 48226 • (Area Code 313) 923-3286

July 3, 1979

Michigan Committee on Law and Housing Challenges Michigan National Corporation's Proposed Acquisition of the Litchfield State Bank.

On Monday, June 25, 1979, the Michigan Committee on Law and Housing (MCLH) formally filed a challenge against Michigan National Corporation's application for the acquisition of the Litchfield State Bank. The challenge was filed with the Board of Governors of the Federal Reserve System, who must make the decision either to approve or deny Michigan National's request.

The document filed by MCLH charges that Michigan National, through the performance of its subsidiaries in the tri-county Detroit area, has broken both the spirit and the letter of federal laws designed to revitalize our neighborhoods and guarantee our people the right to information and equal credit opportunity so necessary to keep these neighborhoods alive and healthy.

In order to approve Michigan National's application, the Federal Reserve Board must use its authority when examining the application to ensure that Michigan National Corporation and its subsidiaries are in compliance with the Community Reinvestment Act, the Home Mortgage Disclosure Act, the Equal Credit Opportunity Act, and Title VIII of the Civil Rights Act of 1968.

MCLH has provided, and is continuing to provide, sufficient documentation — names, dates, times, and actions through which Michigan National Banks in the Detroit area have violated these laws, thereby forfeiting their right to acquire the Litchfield State Bank.

Our challenge raises several basic concerns. First, from January 1st, 1976 to December 31st, 1978, Michigan National Banks operating in the tri-county region invested only 2.94 percent of their combined total home lending dollars



MNC Challenge, p. 4, summary statement

Furthermore, with assets of more than \$150 million, this particular MNC subsidiary should be able to claim a larger area as other comparable institutions have done. Its delineated communities are unrealistically small. For the years 1976, 1977, and 1978, the Oakland subsidiary loaned only \$1,927,554 in the communities it claims to serve for the purposes of residential mortgage originations, compared to \$4,980,084 outside their CRA "local community". Only 38.7 percent of the mortgages they made were in the area they claim as their "local community" under the CRA. Like wise, only 46.7 percent of their home improvement loans were made in this area for the same time period. These violations of Section 228.3 of CRA Regulation (FED Regulation BB), even though the violation was committed by a subsidiary of Michigan National, is once again, by itself, sufficient basis for denial of MNC's application to acquire the Litchfield State Bank.

Finally, we are angered at the implications of a pattern of lending by MNC Detroit area subsidiaries in middle income census tracts which has a disproportionate impact on the basis of race. Our analysis shows that, as soon as a census tract reaches only one or two percent black population, the number of loans made by Michigan National drops in half. We were shocked that as soon as the variable of race was introduced, actual lending to tracts having any black population was so adversely affected. This suggests violation of Title VIII of the Fair Housing Act of 1968, and possible violations of the Equal Credit Opportunity Act.

In summary, we are concerned about the social implications of Michigan National's economic policies. It is our belief that because of their poor lending record, because of the way in which they gerrymander their local communities to exclude low and moderate income communities, because of their

MNC Challenge, p. 5, summary statement

minimum efforts at communicating credit information, and because race seems to play such a major role in their lending patterns, we feel, at the very least, low and moderate income people of metropolitan Detroit have just cause for, and are entitled to, a public hearing where they can make their voice heard in the decision-making process of the Federal Reserve Board of Governors, before Michigan National is given the go-ahead to acquire the Litchfield State Bank. We also believe that many other pending and future proposed structural changes by MNC and its subsidiaries are now in question, because of this challenge. Failing a public hearing on the proposed acquisition of the Litchfield State Bank, for whatever reason, we feel we have amply demonstrated that there is sufficient cause right now to justify denial of Michigan National's request to acquire the bank.

♦ ♦ ♦

**Analysis of Lending Patterns in Middle Income Census Tracts in the Michigan Counties of Wayne, Oakland, and Macomb  
For Eight Subsidiary Banks of the Michigan National Corporation  
By Percentage of Black Population and Number of Owner Occupied and Total Households by Tract  
For Conventional and Government Insured Loan Originations on 1 to 4 Unit Dwellings**

**I. Pattern Analysis**

Black Percentage of 1970 Population	# of Tracts	# of Households		# of Loans	Loans Per Tract	% of White Rate	Loans Per 1,000 Households					
							Total Households			Owner Households		
		Total	Owner				# of White Rate	% of White Rate	Deficiency	# of White Rate	% of White Rate	Deficiency
0 %	434	596,598	482,953	629	1.44	100%	1.05	100%	—	1.30	100%	—
1 - 100 %	150	187,721	139,989	114	0.76	53%	0.61	58%	83	0.81	62%	68
10 - 100 %	89	109,247	81,915	64	0.71	49%	0.59	56%	51	0.78	60%	42
20 - 100 %	72	88,911	66,403	50	0.69	48%	0.56	53%	43	0.75	58%	36
30 - 100 %	60	72,974	55,284	43	0.71	49%	0.59	56%	34	0.78	60%	29
40 - 100 %	52	66,612	50,585	39	0.75	52%	0.59	56%	31	0.77	59%	27
50 - 100 %	49	63,306	47,846	37	0.75	52%	0.58	53%	29	0.77	59%	25
60 - 100 %	43	53,703	42,059	30	0.69	48%	0.54	51%	28	0.71	55%	25
70 - 100 %	34	45,415	33,562	19	0.55	38%	0.42	40%	29	0.57	44%	25
80 - 100 %	24	31,566	22,812	10	0.41	28%	0.32	30%	23	0.44	34%	20
90 - 100 %	16	20,428	14,072	8	0.50	35%	0.39	37%	13	0.57	44%	10

(A) (B) (C) (D) (E) (F) (G) (H) (I) (J) (K) (L) (M)

Sources: 1970 Census of Population, and data provided pursuant to the Home Mortgage Disclosure Act of 1975, from the following subsidiary banks of the Michigan National Corporation for the time periods indicated: MW Bank of Detroit, Dearborn, Oakland, Macomb, and West Metro, for 1-1-76 through 12-31-78; MW Bank - North Metro for 1-1-77 through 12-31-78; and MW Banks Farmington and Sterling Heights for 1-1-78 through 12-31-78. The West Oakland subsidiary has failed to provide the data requested, as did the North Metro subsidiary for the period prior to 1977. Data for the Farmington and Sterling Heights subsidiaries are assumed to be complete, since these are recently created institutions. Part II of this table lists the middle income census tracts used in this analysis.

Table prepared by staff and volunteers of the Michigan Committee on Law and Housing, Inc., 23 East Adams Ave., Detroit, MI 48226. Revised July 5, 1979.

TABLE #14

RATING OF LENDERS' ATTEMPTS TO MEET THE CREDIT NEEDS OF  
DETROIT'S LOW AND MODERATE INCOME AREAS

X

Name of Lender	Ratings based on compliance with CRA Regulations		Ratings based on compliance with F.A. 135 Regs.		Ratings based on in- volvement in rein- vestment programs		Ratings based on \$ invested in low and moderate income Detroit neigh- borhoods (based on 1977 MREA)			Total Score
	Branches With Notice	Branches With Statement	Branches With Notice	Branches With Pamphlet	Community Investment Fund	Home Improvement Program	Conventional Mortgages Originations	Government Insured Mortgages	Home Improvement Loans	
Detroit Federal	0	10	10	0	—	—	352	154	—	58.4
Nat'l. Bank of Detroit	0	9.6	8.8	7.4	—	—	5.0	45.0	137.0	23.6
Detroit Bank and Trust	8.9	9.3	8.6	5.5	—	—	7.0	19.0	137.0	21.7
City National	6.2	8.6	7.9	6.2	—	.15	.06	93	51	19.2
1ST Federal of Detroit	10	8.8	5.0	0	1.0	—	6.0	80	43	17.0
Bank of Commonwealth	9.6	7.8	9.2	4.0	(—)	—	5.0	(0)	117	16.9
Manufactures	8.8	8.2	6.3	5.4	—	5.1	17.0	.3	93	16.0
Michigan National	7.0	2.6	7.9	4.7	X —	—	0	0	113	15.0
Standard Federal	0	10	3.3	0	5.0	—	6.0	14	59	10.8
American Federal	10	8.0	10	0	8.0	—	6.0	0	0	4.6
Colonial Federal	0	10	0	0	—	—	0	0	0	1.1
	1	2	3	4	(5)	6	7	8	9	10

EXHIBIT 'Q'



BOARD OF GOVERNORS  
OF THE  
FEDERAL RESERVE SYSTEM

WASHINGTON, D. C. 20510

ADDRESS OFFICIAL CORRESPONDENCE  
TO THE BOARD

November 30, 1979

Mr. Stanford C. Stoddard  
President  
Michigan National Corporation  
Post Office Box 389  
Bloomfield Hills, Michigan 48013

Dear Mr. Stoddard:

The Board of Governors of the Federal Reserve System has approved the applications of Michigan National Corporation to acquire the following five banks:

Litchfield State Savings Bank, Litchfield, Michigan  
Michigan Bank-Livingston, Brighton, Michigan  
Michigan Bank-Midland, Midland, Michigan  
Michigan Bank-Northwest, Petoskey, Michigan  
Michigan Bank-South Metro, Lincoln Park, Michigan

In acting on these applications, the Board relied on Applicant's commitments to:

1. Increase its credit oriented marketing efforts in low-and moderate-income areas.
2. Participate in additional special lending programs.
3. Further train its employees regarding compliance with the procedural requirements of the Community Reinvestment Act ("CRA").
4. Designate CRA officers to meet with the public regarding Applicant's CRA performance.
5. Investigate further the claims of racial discrimination by the Michigan Committee on Law and Housing.

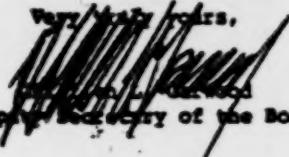
The Board regards this last commitment as an undertaking by Applicant to prevent the occurrence of any such discrimination.

The Board expects prompt compliance with each of these commitments, and Applicant should submit quarterly progress reports demonstrating such compliance to the Federal Reserve Bank of Chicago during the year following consummation of these proposals and as necessary thereafter.

As indicated by the enclosed Order, the Board also expects Applicant to take steps to insure full and continuing compliance with the procedural requirements of CRA and the Home Mortgage Disclosure Act before consummation of these proposals. Accordingly, Applicant should submit a certification to the Reserve Bank signed by its chief executive officer prior to consummation that its subsidiary banks are in full compliance with these procedural requirements. This certification should also describe the means by which Applicant will ensure such compliance in the future.

Enclosed is material related to the Board's action.

Very truly yours,

  
Deputy Secretary of the Board

cc: Michigan Committee on  
Law and Housing



EXHIBIT "R"

DISSENTING STATEMENT OF GOVERNOR RICE

It seems clear that Applicant has persistently failed to comply with certain basic requirements of CRA regulations and I would therefore deny these applications.

It is not necessary to reach the issue of the adequacy of Applicant's record of extending credit in low-and moderate-income areas to conclude that denial of these applications is warranted. The cornerstone of the regulations adopted by the financial regulatory agencies to implement CRA is the requirement that a depository institution take certain specified steps to apprise the members of its community of the institution's obligations under CRA, the manner in which the institution proposes to meet the credit needs of its community, and the procedure for commenting on the institutions's performance in this area. It is undisputed that some of the offices of Applicant's subsidiary banks have not complied with these fundamental requirements.

The regulations setting forth these requirements were published more than one year ago. Applicant has been advised on more than one occasion since the effective date of those regulations that it was not complying with the regulations and also was not in compliance with the similar requirements of the Home Mortgage Disclosure Act, which has been in effect since 1975. The failure of Applicant's management to take prompt steps to remedy this noncompliance strongly suggests that Applicant does not take these responsibilities seriously.

Until Applicant demonstrates that it was complied fully with its obligations under the law, I do not believe the Board should approve these applications.

November 30, 1979



MICHIGAN NATIONAL BANK  
OF DETROIT

1000 West Main  
Troy, Michigan 48064 • Phone (313) 362-2210

July 25, 1977

Mr. Willis W. Chapman, President  
Chappy's Athletic Club, Inc.  
8375 Esper Blvd.  
Detroit, Michigan 48204

Dear Mr. Chapman:

This is to advise you that Michigan National Bank of Detroit will not offer you a loan to finance the establishment of Chappy's Athletic Club, Inc. on substantially the terms you requested.

The principal reason for this action is that the collateral you offered in connection with this loan is inadequate under our usual and customary credit standards for loans of this type and amount.

The enclosed notice is for your information, as required by Federal Law.

Very truly yours,

MICHIGAN NATIONAL BANK OF DETROIT

By: Thomas J. Wagner  
Thomas J. Wagner  
Assistant Vice President

Enclosure

A MICHIGAN NATIONAL CORPORATION BANK

## STATEMENT OF CREDIT DENIAL



Michigan National Bank

of Detroit

Detroit

Michigan

Telephone Number 061-5300

Nov. 14, 1978

500 Griswold, Detroit, MI 48226

☒ Installment Loan☐ General Loan☐ Mortgage☐ Extension of Loan

Name: Charpy's Athletic Club

C/C Willis W. Chapman

Address: 8550 Greenfield, apt. 11,

Detroit, MI 48216

A. INFORMATION CONTAINED IN A CONSUMER REPORT OR A DIRECT REPORT FROM:  
CONSUMER REPORT:

(name) \_\_\_\_\_

(address) \_\_\_\_\_

## DIRECT REPORT:

(name) \_\_\_\_\_

(address) \_\_\_\_\_

(Nature of Information Received from Direct Report)

You have the right to make a written request of the above for a disclosure of the nature of this information. This written request, to be effective, must be received by the above within 60 days of the date of receipt of this notice by you.

## B. PRINCIPAL REASON(S) FOR ADVERSE ACTION:

- ☐ Credit Application Incomplete
- ☐ Unable to Verify Credit References
- ☐ Temporary or Irregular Employment
- ☐ Unable to Verify Employment
- ☐ Length of Employment
- ☐ Insufficient Income
- ☐ Excessive Obligations
- ☐ Unable to Verify Income
- ☒ Inadequate Collateral
- ☐ Too Short a Period of Residence
- ☐ Temporary Residence
- ☐ We do not grant credit to any applicant on the terms and conditions you request.

- ☐ Unable to Verify Residence
- ☐ No Credit File
- ☐ Delinquent Credit Obligations
- ☐ Garnishment, Attachment, Foreclosure, Repossession, or Suit
- ☐ Bankruptcy
- ☐ Insufficient Credit References.

If you have established credit under another name, you may still qualify for credit by calling this office and providing us with additional information.

☐ Other, Specify: \_\_\_\_\_

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The Federal agency that administers compliance with this law concerning this creditor is the Comptroller of the Currency, Consumer Affairs Division, Washington, D.C., 20219.

JOHN P. HEHMAN  
CLERK

OFFICE OF THE CLERK  
UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT  
CINCINNATI, OHIO 45202

83-6224

September 15, 1983

Mr. Willis W. Chapman  
Mr. Russ E. Boltz

Re: Our Case No. 82-1349 - Willis W. Chapman vs.  
Michigan National Bank.  
District Court No. 79-74777

Dear Gentlemen:

Enclosed is a copy of an order which was entered  
today in the above-styled case.

Very truly yours,

John P. Hehman, Clerk

By Linda L. Brinson  
(Ms) Linda L. Brinson  
Deputy Clerk

Enclosure

No. 82-1349

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

FILED

SEP 2 1983

JOHN P. HEHMAN, Clerk

WILLIS W. CHAPMAN,

Plaintiff-Appellant,

v.

ORDER

MICHIGAN NATIONAL BANK,

Defendant-Appellee.

---

Before: ENGEL and CONTIE, Circuit Judges; and PECK, Senior Circuit Judge.

No judge in regular active service of the court having requested a vote on the suggestion for a rehearing en banc, the petition for rehearing filed herein by the plaintiff-appellant has been referred to the panel which heard the original appeal. Upon consideration of said petition, the court finding no issues presented which have not been previously considered,

IT IS ORDERED that the petition for rehearing en banc be and it is hereby denied.

ENTERED BY ORDER OF THE COURT

John P. Hehman  
Clerk 1/5

IN THE  
SUPREME COURT OF THE UNITED STATES  
NOTICE OF APPEALS FROM THE UNITED STATES  
COURT OF APPEALS FOR THE SIXTH CIRCUIT

NO. 82-1349

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN  
DISTRICT OF MICHIGAN SOUTHERN DIVISION  
NO. 79-74777

RECEIVED

NOV 14 1983

OFFICE OF THE CLERK  
SUPREME COURT, U. S.

AFFIDAVIT 83-6224

I WILLIS W. CHAPMAN being duly sworn, depose and say that I am Appellant in the entitled case, WILLIS W. CHAPMAN VS MICHIGAN NATIONAL BANK OF DETROIT subsidiary, of MICHIGAN NATIONAL CORPORATION a bank holding company, Appellees, that PURSUANT to RULE 10 Appellant did file a NOTICE OF APPEAL in the form, within the time, and at the place prescribed by this rule, and shall be perfected by docketing the case in the SUPREME COURT as provided in Rule 12.

APPELLANT did comply with Rule 10 (3) a copy of the NOTICE OF APPEAL was served upon all parties, attached is a copy mailed to the Appeals Court and the date it was received, also attached is a copy mailed to the Supreme Court of United States and the date it was received.

Appellant says that the Notice of Appeal has been given is sufficient,; Carolina Inv. Co. vs Kelly, 123 N.C. 388, 31 Se 671: Halsall vs Atlantic Coast Line R. Co., 96 S. C. 308. 80 SE 467.

Respectfully Submitted

*Willis W. Chapman*  
Willis W. Chapman pro per  
24 Constitution Street  
Highland Park, Michigan 48203

*Willis W. Chapman*  
Subscribed and sworn to before  
me this 10th day of Nov. 1983  
Notary Public, Wayne County  
My Commission expires 5/12/85.



83-6224

RECEIVED

FEB 2 1984

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

NOTICE OF APPEALS FROM THE UNITED STATES

COURT OF APPEALS FOR THE SIXTH CIRCUIT

NO. 82-1349

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN

DISTRICT OF MICHIGAN-SOUTHERN DIVISION

NO. 79-74777

RECEIVED

NOV 14 1983

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

RECEIVED

24  
OCT 25 1983

OFFICE OF THE CLERK  
SUPREME COURT, U.S.

WILLIS W. CHAPMAN

Plaintiff- Appellant

VS

MICHIGAN NATIONAL BANK OF DETROIT  
SUBSIDIARIE, OF MICHIGAN NATIONAL  
CORPORATION, a bank holding company,  
Defendant- Appellees,

STATE OF MICHIGAN }  
COUNTY OF WAYNE } ss

PROOF OF SERVICE

WILLIS W. CHAPMAN, being duly sworn, deposes says  
that he is Appellant, and on the 20th day of Oct. 1983 he  
served a true copy of the attached NOTICE OF APPEAL TO THE  
SUPREME COURT OF THE UNITED STATES, upon MICHIGAN NATION BANK  
OF DETROIT'S ATTORNEY Mr. RUSS E. BOLTZ address same to 1400  
West 14 Mile Road, Clawson, Michigan 48017, and deposited same  
in the United States Mail with Postage fully prepaid.

Dated Oct.20,1983

*Willis W. Chapman*

Willis w. Chapman pro per  
Appellant

*Curtis White*  
Subscribed and sworn to before  
me this 20th day of Oct, 1983  
Notary Public, Wayne County  
My Commission expires Sept 9-1987.

IN THE 83-6224

SUPREME COURT OF THE UNITED STATES

NOTICE OF APPEALS FROM THE UNITED STATES

COURT OF APPEALS FOR THE SIXTH CIRCUIT

NO. 82-1349

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

NO. 79-74777

WILLIS W. CHAPMAN

Plaintiff- Appellant

VS

MICHIGAN NATIONAL BANK OF DETROIT  
SUBSIDIARIE, OF MICHIGAN NATIONAL  
CORPORATION, a bank holding  
company,

Defendant- Appellees,

STATE OF MICHIGAN)

COUNTY OF WAYNE }

PROOF OF SERVICE

Willis W. Chapman, being duly sworn, deposes says that he is Appellant, and on the 7th day of Sept. 1983 he served a true copy of the attached NOTICE OF APPEAL TO THE SUPREME COURT OF THE UNITED STATES, upon MICHIGAN NATION BANK OF DETROIT'S ATTORNEY Mr. RUSS E. BOLTZ address same to 1400 West 14 Mile Road, Clawson, Michigan 48017, and deposited same in the United States Mail With Postage fully prepaid.

Dated Sept. 7th 1983

Subscribed and sworn to before  
me this 7th day of Sept. 1983  
Notary Public, Wayne County  
My Commission expires MAY 19 1985

*Willis W. Chapman*  
willis w. Chapman pro per  
APPELLANT



IN THE  
SUPREME COURT OF THE UNITED STATES  
NOTICE OF APPEALS FROM THE UNITED STATES  
COURT OF APPEALS FOR THE SIXTH CIRCUIT  
NO. 82-1349  
ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION  
NO. 79-74777

---

WILLIS W. CHAPMAN  
Plaintiff- Appellant

VS

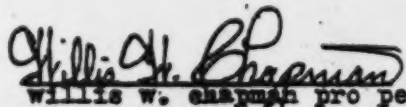
MICHIGAN NATIONAL BANK OF DETROIT  
SUBSIDIARIE, OF MICHIGAN NATIONAL  
CORPORATION, a bank holding  
company,  
Defendant- Appellees,

---

NOTICE OF APPEAL TO THE SUPREME COURT OF  
THE UNITED STATES

Notice is hereby given that WILLIS W. CHAPMAN, the  
Appellant above named, hereby appeals to the SUPREME COURT of  
the UNITED STATES from the final JUDGMENT of MOTION FOR REHEARING if it  
IS HEREBY DENIED entered in this action on June 14, 1983 and hereby  
Appeals from the final order entered in this cause on January 28,  
1982, whereby it was adjudged that the Appellant's cause of action  
be dismissed, by way of Appellees Entry of Order of Summary  
Judgment.

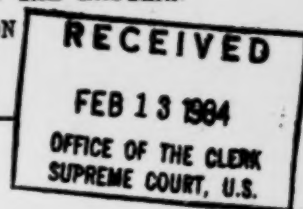
Dated Sept. 7, 1983

  
willis w. chapman pro per  
APPELLANT

WILLIS W. CHAPMAN PRO PER  
8350 Greenfield Rd. # 14  
Detroit, Michigan 48228  
313 255-6770 Off.  
313 584-7659 Res.

IN THE  
 SUPREME COURT OF THE UNITED STATES  
 NOTICE OF APPEALS FROM THE UNITED STATES  
 COURT OF APPEALS FOR THE SIXTH CIRCUIT  
 NO. 82-1349

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN  
 DISTRICT OF MICHIGAN SOUTHERN DIVISION  
 NO. 79-74777



WILLIS W. CHAPMAN  
 APPELLANT

V

MICHIGAN NATIONAL BANK OF DETROIT  
 SUBSIDIARIE, OF MICHIGAN NATIONAL  
 CORPORATION, a bank holding company,  
 APPELLEES,

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Appellant, WILLIS W. CHAPMAN, ask leave to file the Appeal without prepayment of costs and to proceed in forma pauperis. Appellant has previously been granted leave to so proceed in both the U.S. DISTRICT COURT and U.S. COURT OF APPEALS SIXTH CIRCUIT. In accordance with the provisions of TITLE 28, USC, SEC. 1915.

APPELLANT'S AFFIDAVIT

I, WILLIS W. CHAPMAN, being first duly sworn according to law, depose and says that I am the Appellant in the above-entitled case, that in support of my motion to proceed without being required to prepay fees, costs or give security therefore, I state that because of my insolvency and poverty I am unable to pay the costs of said case or to give security, and that I believe I am entitled to redress.

I further swear that the responses which I have made to the questions and instructions relating to my ability to pay the cost of proceeding in this Court are true.

1. Yes, I am employed

(a) Commission only, CENTURY 21 DUPONT REALTORS CO. 18801 West 7 Mile Rd., Detroit, Michigan 48219

2. Yes, Rent is the other source, out-of 12 months tenants paid only \$980.00 which was 3 months rent, and moved owning \$1,800.00.

3. No.

4. Yes, (joint tenants with full rights of survivorship) mother.

5. Mother

I understand that a false statement or answer to any questions in this affidavit will subject me to penalties for perjury.

*Louise Garner*  
Subscribed and sworn to before  
me this 7th day of Feb. 1984

*William H. Chapman*  
APPELLANT

TT

Statement for  
Recipients of **1981**

**Nonemployee  
Compensation**

Copy A  
For Internal Revenue  
Service Center

For Official Use Only

Century 21 DuPont,  
Bowles Realty Co Inc.  
18801 W. 7 Mile Rd.  
Detroit, Mi. 48219  
38-2208151

Type or print  
PAYER'S  
name, address,  
ZIP code, and  
Federal  
identifying  
number.

83 ☐

Recipient's identifying number

371-12-1405

1 Fees, commissions, and other compensation

2,512.87

Type or print RECIPIENT'S name, address, and ZIP code below (Name must align with  
arrow).

Name >

Willis Chapman  
8550 Greenfield #14  
Detroit, Mi. 48228

For instructions on completing this form,  
see "Instructions for Form 1096."

Form 1099-NEC

©GPO: 1980-O-313-113 © 89-1118879

Department of the Treasury—Internal Revenue Service



1982

BOULES REALTY CO., INC.  
16801 W. SEVEN MILE RD.  
DETROIT, MICHIGAN  
38-2206151

Type or print  
PAYER'S  
name, address,  
ZIP code, and  
Federal  
Identifying  
number.

Nonemployee  
Compensation

Copy 8  
For Recipient

Recipient's identifying number

371-12-1405

1 Fees, commissions, and other compensation

3,240.31

Type or print RECIPIENT'S name, address, and ZIP code below.

Willis Chapman  
8550 Greenfield, #14  
Detroit, MI 48228

See instructions on back of this copy.

This information is being furnished to the  
Internal Revenue Service.